



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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March 7, 2017

Ref: 8EPR-SR

Ms. Bonnie Rader, President
Citizens for Lowry Landfill
Environmental Action Now (CLLEAN)
71 Algonquian Street
Aurora, CO 80018

Re: Response to CLLEAN communications, January 27, 2017, and February 15, 2017

Dear Ms. Rader:

This letter is the U.S. Environmental Protection Agency's response to the two referenced recent communications you sent to EPA attorney Amelia Piggott. Ms. Piggott referred these communications to me, because they raise both technical and community outreach concerns.

The EPA appreciates hearing from community members about the Lowry Landfill Superfund Site. We understand the importance of precise and informative community outreach and strive to be consistent and helpful in all our interactions with the public. Your correspondence references a set of interviews supporting the fourth Lowry Landfill Superfund Site five-year review.

Section 121 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 requires remedial actions that result in any hazardous substances, pollutants, or contaminants remaining at the site be subject to a five-year review. The purpose of the five-year review is to evaluate the implementation and performance of the remedy, to determine whether the remedy is, or will be, protective of human health and the environment. The five-year review interview process is described in EPA guidance and is intended to seek input and opinions about remedy effectiveness from community members. The interview process is not intended primarily to be an information exchange opportunity, such as in the Community Relations Plan development process. In the case of the interviews you reference, staff interviewers were not in a position to elicit or disseminate detailed and specific technical information.

LETTER DATED JANUARY 27, 2017

Your January 27, 2017, letter titled "*EPA Region 8 and CDPHE Community Involvement Coordinators Misleading the Public During EPA Interviews for the 2017 Lowry Landfill Superfund Site 5 Year Review*" raised two points regarding the accuracy of information provided during the EPA/community interviews. The first point concerned the matter of groundwater data reliability and the statistical analysis model used to determine groundwater compliance at the site. The second point pertained to outdated and/or inconsistent site-related information published on the EPA's website.

Groundwater data reliability and statistical analysis model

The accuracy of the "stats" produced by the work settling defendants (WSDs) and the potential impacts to groundwater contaminant levels at the site from ongoing potable water injections are two separate issues. One issue focuses on the reliability and accuracy of data generated by the statistical analysis model used to determine groundwater compliance, while the other issue centers around

potential impacts to groundwater contaminant levels from the injection of potable water to the site's shallow groundwater system.

The current statistical analysis model being used at the site to determine groundwater compliance is based on the WSDs' utilization of the EPA's most recent unified guidance for conducting statistical analysis of groundwater monitoring data. This guidance was adopted and implemented by the WSDs in 2015 following a comprehensive review and evaluation of the site's groundwater monitoring plan (GMP). During the evaluation of the GMP, the EPA identified a deficiency in the statistical analysis model used to determine compliance that could potentially impact groundwater data reporting decisions.

This deficiency was effectively addressed following the WSDs' implementation of the Agency's recommended changes and close adherence to the EPA's most recent unified guidance for monitoring groundwater data results. The changes to the model resulted in the generation of data that shows greater confidence, reliability and accuracy than the previous model used to determine groundwater compliance.

As to the issue of potential impacts to shallow groundwater contaminant levels from potable water injections being conducted at the site, this practice was implemented over a decade ago by the WSDs to address water augmentation requirements and as a temporary measure to assist efforts in mitigating groundwater contamination near the northern boundary of the site. EPA is evaluating potential impacts to shallow groundwater contaminant levels over time from this process, and possible recommendations for changing the process, if/where applicable, will be included as part of the 2017 five-year review report. EPA is not aware of any data indicating that groundwater contaminant levels are being negatively influenced by potable water injections conducted at the site, but the Agency would welcome the opportunity to review any such data of which you may know.

Outdated and/or inconsistent site-related information published on the EPA's website.

The EPA initiated changes to its Superfund website last year which involved migration of content from the old to the new system. During the migration period, outdated information was still accessible to the public on the older versions of the website that had yet to be removed. The EPA is aware of this problem and has been working diligently to remove all outdated and duplicative information and ensure pertinent documents and content are up to date and readily accessible to the public. We anticipate that full content migration to the new website will be completed within the next few weeks. A fact sheet summarizing important activities that have occurred at the site in recent months also will be available on the website soon. The updated EPA website for the Lowry Landfill Superfund Site can be accessed by using the following link: <https://cumulis.epa.gov/supercpad/cursites/csitinfo.cfm?id=0800186>

EMAIL DATED FEBRUARY 15, 2017

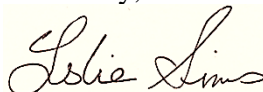
Lastly, in response to your February 15, 2017 email titled "*Interviews for 2017 Five Year Review*," we appreciate your interest in maintaining a complete picture of the Lowry Landfill Superfund site for the five-year review. In November 2016, the EPA advertised to the public the start of the five-year review process and began conducting interviews with individuals who expressed interest and/or a desire to be interviewed.

The EPA's intention is to conduct interviews with individuals who have a broad spectrum of interest at the site. It is typical to conduct an average of 10 to 12 interviews for a five-year review. During the five-year review process, the EPA has heard from a variety of individuals with varying levels of involvement to the site. The EPA's efforts included conducting outreach to representatives from the city and county. Those who expressed an interest at that time were interviewed. Also, in the coming weeks, EPA plans to contact county commissioners to provide them the opportunity to participate in the five-year review process.

If you have any other concerns about the five-year review process or community involvement, please contact Katherine Jenkins directly about these matters.

Thank you again for your letter and interest in the Lowry Landfill Superfund Site. Should you have any additional questions or concerns, please contact Community Involvement Coordinator Katherine Jenkins at (303) 312-6351 (email jenkins.katherine@epa.gov) or myself at (303) 312-6224 (email sims.leslie@epa.gov).

Sincerely,

A handwritten signature in black ink, reading "Leslie Sims", is placed on a light yellow rectangular background.

Leslie Sims
Remedial Project Manager
Superfund Remedial Program

cc: Steve Wharton, EPA
Katherine Jenkins, EPA
Amelia Piggott, EPA
Jeannine Natterman, CDPHE
Lee Pivonka, CDPHE
Jennifer Robbins, Colorado AG